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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BRIANT CHUN-HOON and CARLO
GUGLIELMINO,

Plaintiffs,

v.

MCKEE FOODS CORPORATION, a
Tennessee corporation; and DOES 1 through
100, inclusive,

Defendants.

Case No. CV 05-00620 VRW

[PROPOSED] ORDER OF DISMISSAL
WITH PREJUDICE

This action was filed on January 3, 2005, in the Superior Court of Alameda County, and was removed to this Court on February 10, 2005. The parties subsequently reached a settlement of this case, and on August 11, 2009, the parties moved for preliminary approval of the proposed settlement. Doc #93. The terms of settlement are set forth in the parties' Joint Stipulation of Settlement and Release (Doc # 94) and in the Settlement Agreement attached thereto as Exhibit A (the "Settlement Agreement").

On October 15, 2009, the Court granted preliminary approval of the proposed settlement. Doc #100. Notice of the proposed settlement was thereafter provided to the class in accordance with the provisions of the Settlement Agreement and preliminary approval order. Doc #104. No objections to the settlement were filed, and only sixteen (16) class members elected to exclude themselves from the settlement. Id. The parties moved for final approval of the proposed

1 settlement (Doc #103), and the Court granted final approval on June 7, 2010. Doc #110. In light
2 of the foregoing,

3 IT IS HEREBY ORDERED that this action is dismissed with prejudice. The releases and
4 covenants not to sue by the class representatives and class members, as set forth in Sections 16
5 and 18 of the Settlement Agreement between the parties, are approved by the Court, are binding
6 on the class representatives and class members, and are hereby incorporated by reference and
7 made a part of this Order of Dismissal as though fully set forth herein.

8
9 DATED: _____

Vaughn R. Walker
United States District Judge